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ABSTRACT

Recent panel studies of deterrence have reported little evidence that perceptions of legal sanctions promote deterrence. Yet those studies have consistently found that extralegal sanctions "inhibit" criminal involvement. Conclusions drawn from this line of research remain speculative, however, because they are guided by an unnecessarily narrow conception of deterrence, the distinction between legal and extralegal sanctions is unclear, and the analyses conducted gloss over some potentially relevant measurement distinctions. To address these issues, data from one wave of an ongoing national panel study of assaults between adult partners were used to assess the perceived costs associated with the perpetration of assaultive action and the perceived costs associated with being sanctioned (i.e., arrested) for such action. Based on results of the study, it was proposed that the costs seen as flowing from arrest, identified as attachment loss, social stigma, and self-stigma, should be considered part of the deterrence process. Judgments about how engaging in some illegal act might create costs in these three areas for perpetrators are seen as extralegal sources of control, not as part of deterrence. Future research might attempt to assess the controlling power of costs associated with actual and potential arrest for a variety of illegal acts. (Fourteen endnotes are included.) (Author/NB)

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Sources of Deterrence: The Perceived Costs of Assault Versus Arrest

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Abstract

Recent panel studies of deterrence have reported little evidence that perceptions of legal sanctions promote deterrence. Yet those studies have consistently found that extralegal sanctions "inhibit" criminal involvement. Conclusions drawn from this line of research remain speculative, however, because: 1) they are guided by an unnecessarily narrow conception of deterrence, 2) the distinction between legal and extralegal sanctions is unclear, and 3) the analyses conducted gloss over some potentially relevant measurement distinctions. To address these matters, data from one wave of an ongoing national panel study of assaults between adult partners are used to assess the perceived costs associated with the perpetration of assaultive action and the perceived costs associated with being sanctioned (i.e., arrested) for such action. The implications of the findings for deterrence theory and policy are discussed.

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Sources of Deterrence: The Perceived Costs of Assault Versus Arrest

The shift to perceptual issues in research on deterrence has forced an expansion of the deterrence doctrine. In spite of numerous studies, no unified theory of either general or specific deterrence has emerged, in part because investigators disagree as to what such a theory should include. Perceptual processes operate in both types of deterrence, although the critical components of decision-making may vary for each type.[1] Whether the topic is general or specific deterrence, we agree with Richard Lempert (1982, p. 534) "that deterrence is a subjective phenomenon and that deterrence theory is, at best, a theory about the behavioral implications of subjective beliefs."

In what remains the best conceptual treatment of deterrence, Jack Gibbs (1975) proposed a careful separation of general deterrence from other "preventive mechanisms of punishment." Along the same line, Meier and Johnson (1977, p. 295) suggest that a deterrence theory requires that "multiple sources of conformity by identified; only one of these is legal threat." This would make fear of legal sanctions but one component of a larger complex of social control variables.

Others have argued for more encompassing models that include the identification and integration of both crime inhibitors, such as fear of legal sanctions, and crime generators, meaning incentives or causes of crime (e.g., Meier et al. 1984, p. 69). This is not a novel idea. Bentham asserted that pain of punishment must overcome the forces which urge a person toward crime (see Zimring and Hawkins 1973, p. 75). Nonetheless, empirical tests of such models are relatively new, with one showing that inhibitory factors do not fare well compared to generative variables, i.e., the "perceptions of the reward, returns, and opportunity for crime" (Piliavin et al. 1986, pp. 103).

Our goal in this paper is not to delineate the appropriate scope of deterrence theory. Rather we want to explore conceptual issues which are more modest in scope but, nevertheless, bear on the focus and direction of deterrence theory and research. We will examine the relationships between perceptions of consequences seen as resulting from a specific act (male aggression against female partners) and being arrested for that act. In other words, the perceived costs of perpetrating wife assault are compared to the costs perceived as flowing from getting arrested for such behavior.[2] Before presenting an analysis based on a national survey of adult couples, the conceptual framework suggesting why such relationships are critical to the deterrence doctrine must be put in place.

THEORETICAL RATIONALE

A common practice in perceptually-based studies of deterrence has been to compare perceived legal sanctions with so-called informal controls (e.g., stigma of arrest, negative reactions by friends and relatives, etc.) as if some form of contest were involved. For example, Charles Tittle (1980, p. 321) concludes that:

> ...social control as a societal process seems to be rooted almost entirely in how people perceive the potential for negative reactions from personal acquaintances [for rule violations].... Legal controls do no more than supplement informal control processes by influencing a small segment of "criminally inclined" persons.

Much of the recent empirical work on general deterrence has been in this vein -- comparing the power of legal sanctions and informal (also termed extralegal) controls as they affect conformity patterns.[3] Unfortunately this tactic may lead to an overly narrow conception of the deterrence process and a misreading of findings such that fear of legal sanctions is seen as being relatively unimportant in securing conformity. This turning away from the study of legal controls can be seen in a conclusion drawn by Paternoster and Iovanni (1986, p. 769):

> It is clear [from our data]...that formal sanction threats are not important in any immediate or direct sense. It may now be incumbent on deterrence theorists and researchers to consider the development and testing of models of informal social control.

It would seem that a careful delineation of the relationship between formal and informal sanctions be done before we shift the direction of research on deterrence.

The Costs of Act and Arrest

The perceptual process of deterrence is centered on the perceived risks of being caught and punished. But, in point of fact, what kinds of considerations go into this calculation of risk? What puts the punch in punishment threats? To answer, we must distinguish between possible costs

incurred. Material deprivation instrinsic to sanctions (e.g., dollars lost due to fines, time lost due to incarceration, etc.) is clearly one cost, but others might include: (a) reputational damage because of stigmatizing reactions by others;[4] (b) attachment costs involving negative consequences in personal relationships with weakened ties to relatives and friends; and (c) commitment loss, the costs involved in missed opportunities and the closing off of future goals as the result of some untoward action. Other categories of cost could be added, of course, but there is another pressing issue: What is seen by the actor and/or the reacting audience as the origin or focus of the negative reaction (cost imposition)?

Some examples may help. Take the case of illegal drug use. It could be the act itself (smoking marijuana), or the arrest (and potential subsequent punishment) for doing the act, which initiates the costs. For assault, is the potential male assaulter more afraid of being known in the community and to his friends as "the kind of guy who beats his wife" or of being arrested and charged with assault? Assume for the sake of argument that a potential assaulter calculates the costs of both act and arrest (perceived risks of each happening) and that he refrains from assaulting his spouse. Has general deterrence occurred? (If he had a prior arrest for such behavior, the question would be: has specific deterrence occurred?) The answer from most perceptually-based deterrence researchers would be "no", i.e., deterrence would not be credited for the decision to refrain from the act.[5]

One reason deterrence is ruled out here is that costs associated with the act would be termed "extralegal" costs. This is quite appropriate as no legal threat is involved. However, costs associated with arrest (punishment), which are termed informal controls in most studies, are frequently not counted as part of the legal threat. Stigma of arrest, fear of loss of friends, difficulty in getting or keeping one's job -- all these factors are usually treated as distinct from the certainty or severity of legal sanctions.

For example, in one study using social sanctions and attachment to parents as well as other informal controls, the authors conclude that "once such factors are statistically controlled, perceptions of the severity and certainty of punishment have no effect on delinquent behavior" (Paternoster and Iovanni 1986, pp. 708-9). Our quarrel is not with their conclusion -- that the effect of legal threats vanishes when informal sanctions are introduced -- but with a conception of deterrence that does not permit a refinement between legal and informal sanctions. In other words, why are these consequences of legal punishment -- these informal controls -- not evidence of deterrence?

Another example of the failure to provide any theoretical rationale for why something is or is not part of deterrence can be found in the study by Irving Piliavin and his colleagues (1986). They distinguish between formal and personal risk of sanction imposition which parallels the formal-informal distinction just discussed. Under formal risk, they ask respondents for perceptions of arrest, imprisonment, and job loss (and two other risks). Included under personal risk are spouse loss if imprisoned and friend loss if imprisoned. Are both risk categories evidence of general deterrence threats? Are the indicators theoretically

linked in any way? It is unclear, for example, that job loss is any more "formal" than spouse loss as a byproduct of legal sanctions.[6]

Linking Consequences of Punishment to Deterrence

Our position is that the concept of deterrence has been too narrowly drawn. By excluding perceived interpersonal negative consequences of sanctions, the "pure" threat of legal sanctions (i.e., intrinsic material deprivations) appears to be empirically weak, leading researchers to ignore or downplay the role of such penalties. We propose to include within the deterrence doctrine those costs which can be traced to the threat, as well as the actual imposition, of a legal sanction. As mentioned above, three categories of consequences (i.e., sanction costs) can be treated as part of deterrence: stigma of arrest, attachment costs, and commitment costs (see Williams and Hawkins, 1986).

Some people may not anticipate that these costs will be precipitated by legal sanctions, but they may simply fear the sanction itself. Others may refrain from criminal behavior because of these attendant costs rather than out of fear of the legal sanction per se. Careful measurement of certainty and severity of legal sanctions and the attendant consequences would provide a complete picture of the power of legal sanctions. Of course, those who conform only because they fear the stigma resulting from public knowledge of doing a particular act (regardless of whether caught or not) would clearly be controlled by an extralegal factor. Just as there may be general reputational damage from the act, there may also be attachment and commitment costs incurred. Again, these would be extralegal sources of conformity.

The first step on the road to an expanded deterrence doctrine is to treat act and arrest as conceptually distinct. A second step would be to test for perceived differences in the cost of an act compared to arrest for the act. The remainder of the paper attempts such an empirical separation for a relatively common type of intimate aggression: husband-to-wife assault (e.g., Straus and Gelles 1986; and for reviews see Dutton 1987a; Hotaling and Sugarman 1986; Pagelow 1984).

SAMPLE, DATA AND MEASURES

Data for the analysis were obtained through telephone interviews of adult couples (18 years of age or older) in the United States, conducted during the summer and early fall of 1986. This is the second wave of a three-wave national panel study of sanctions and assaults involving adult couples. The first wave of data was collected in the summer and early fall of 1985 as a part of the National Family Violence Re-survey (e.g., Straus and Gelles 1986). The analysis reported here is based on the second wave (i.e., 1986) data.

As a result of the initial survey, all coupled male and female respondents were divided into three groups: (1) those who reported one or more acts of physical assault against their partners within the last year -- the past year group; (2) those who reported one or more acts of assault prior to one year ago, but not within the past 12 months -- the ever group; and (3) those reporting no acts of assault for either time

period -- the never group. The follow-up survey in 1986 sought to re-interview all respondents in the first two groups and to draw a random sample from those within the third group.[7] Since our concern is with male-to-female assault, the analysis is limited to the men in the 1986 sample (unweighted N-621).[8]

Perceived Consequences of the Act (of Wife Assault)

Two perceptual properties of the costs seen as associated with involvement in an act of wife assault were measured: The risks of negative costs and the severity of such costs (the degree to which they would cause trouble).[9] Data on perceived costs of the act were obtained in three areas: threat to spouse attachments; social stigma through rejection by friends; and self stigma, which refers to lowered self-esteem as a result of doing the act.[10] In the case of attachment costs, for example, respondents were read the following instructions:

> Suppose you hit your spouse/partner. I am going to read a list of things which might happen as a result. Please rate the chances of each result from zero to ten. You should give a zero for something you think has no chance at all of happening, a ten for something you think is sure to happen, and you can use any number between zero and ten.

They were then asked to estimate the chances of their "spouse/partner leaving or threatening to get a divorce." This procedure is consistent with the meaning of perceived risk of reactions, that is, the estimated likelihood that a particular cost will be incurred.

Data on perceived severity of various possible reactions were obtained by asking each respondent to rate how bad each outcome would be for the three cost areas (attachment, social stigma, and self stigma). We use the perceived severity of sanctions as a global indicator of the "fear" induced by sanction threats. Our usage is similar to the Grasmick and Bryjak (1980) procedure of getting respondents to state how bad certain negative consequences would be in the life of each respondent.

The Perceived Effect of Arrest (for Wife Assault)

To determine whether an arrest experience can influence the perceived risk of attachment costs as well as social and self stigma for the arrest, the following hypothetical question was asked:

> What if you were arrested for hitting your spouse/partner? What would be the chances, again from zero to ten, of these these happening then?

Respondents were given the list of spouse/partner leaving or threatening to get a divorce, loss of respect from friends and relatives, and loss of self respect. Responses to these items are used to measure the perceived risk of costs associated with being arrested for committing wife assault.

As with the other perceptual measures, the responses vary from zero (no chance) to ten (an absolute certainty).

Assaultive Behavior Experience

Data on wife assault were collected by administering the Conflict Tactics Scale (CTS), developed by Straus (1979). It is designed to measure the frequency with which specific tactics are used to resolve conflicts between intimates. Three different tactics are measured: (1) reasoning, (2) verbal aggression, and (3) physical aggression. Specifically, respondents were presented the following instructions:

> No matter how well a couple gets along, there are times when they disagree, get annoyed with the other person or just have spats or fights because they're in a bad mood or tired or for some other reason. They also use many different ways of trying to settle their differences. I'm going to read some things that you and your partner might do when you have an argument.

Respondents were then read a list of 19 tactics, ranging from "discussed an issue calmly" to "used a knife or fired a gun," and they were asked to indicate the number of times in the past 12 months they used each tactic. They were also asked to indicate the number of times their spouse/partner did the same.

The total number of male respondents reporting any physical aggression toward his female partner is used in the present analysis to identify those who have engaged in wife assault. The nine physical aggression items in the CTS are listed below, along with the number of men who reported using one or more of these tactics in the 1986 survey.

		Frequency of Reported Items
1.	Threw something at her	14
2.	Pushed, grabbed, or shoved her	68
3.	Slapped her	16
4.	Kicked, bit, or hit her with a fist	3
5.	Hit her or tried to hit her with something	3
6.	Beat her up	4
7.	Choked her	1
8.	Threatened her with a knife or gun	1
9.	Used a knife or fired a gun	4

This method yielded a total of 78 assaultive males in 1986. A total of 543 men did not report using any of these assaultive tactics in the past year. Since the distribution presented above refers to the number of men reporting any use of these tactics (i.e., men may report more than one of them), the frequencies do not sum to the total number of such men in the sample. Rather, they sum to the number of tactics used, as reported by the 78 men.

It should be clear that we have a rough index of assaultive behavior. The higher concentration of what appears to be less serious items (e.g., throwing something or pushing) suggests that we may be dealing with milder forms of wife assault. Such conclusions may be unwarranted and ultimately would depend, in part, on the potential injurious outcomes of assaultive acts. The physical aggression scale of the CTS does not permit judgments of potential seriousness of injury, nor does it measure other possible violent actions.[11]

ANALYSIS AND FINDINGS

The analysis below is designed to determine whether an arrest experience, based on a hypothetical scenario, will increase the perceived risk of costs associated with wife assault. If so, those costs can be viewed as consequences of legal sanctions, a part of the deterrence process. If arrest does not influence such perceptions, then the effects of attachment costs, social stigma, and self stigma operate independently of this legal sanction. In short, these costs can be viewed as extralegal sanctions. The empirical question central to our exploratory analysis, therefore, is as follows: To what extent are the perceptions of risk linked to the act of wife assault different from those linked to getting arrested for such behavior?

Differences between Perceptual Measures

To answer this question, we compared the means for the perceived costs associated with wife assault to those for getting caught for this action. Table 1 presents the relevant descriptive statistics. The perceived risk of attachment costs for wife assault is moderate, but it increases steadily for social and self stigma. The costs of arrest, likewise, increase from attachment to social stigma and then self stigma. More importantly, risks attributed to the act are lower than those seen as flowing from arrest for wife assault.

Table 1 about here

The finding that arrest costs are higher than costs associated with doing the act is not surprising in that arrest transforms the meaning of domestic disputes which might otherwise be rationalized as not that serious an issue. Also of interest is the finding that in these data there is a pattern of increased perception of risk as one moves from partner attachment to social stigma and self stigma for both involvement in the act and getting arrested. We know of no theoretical framework which would predict such differences. In other words, this is an important area for development if a complete theory of deterrence is to be created around perceptual processes concerning these sanctions. Another

point of interest in Table 1 is the variance around these judgments. For some men in the sample, the perceived risk of act costs is rated higher than arrest costs. For others there is no difference, and for the rest of the respondents, arrest costs exceed consequences traced to knowledge of involvement in the act alone.

The next phase of our analysis examines these three possible combinations of act/arrest, which are presented as three separate categories in Table 2.

Table 2 about here

The increase category includes those men whose perceived risk estimates increased when based on arrest compared to the act. The no difference group includes those whose perceptions of risk were identical. The decrease category includes men who rated arrest costs below costs associated with the act.

The Increase Category. For those men giving primacy to arrest over act, we see the relative unimportance of attachment costs for wife assault (mean = 1.7). These men do not believe their partners will leave them in response to their aggression. These men also see little interpersonal cost to engaging in assaultive behavior (mean = 2.7) and indicate a relatively small likelihood of respect loss (mean = 3.5). Apparently social and self condemnation of wife assault are of little consequence for these coupled men. In deterrence terms, they are within the "marginal group" (Zimring and Hawkins, 1968): Lacking various extralegal controls associated with the act, these men -- to the extent they refrain from aggressive acts -- do so out of fear of arrest and the consequences that flow from this legal sanction.

The means for cost associated with arrest (in Table 2) support the conclusion that these men clearly believe that getting arrested for physically assaulting their female partners will increase the likelihood of incurring other major costs (i.e., loss of partner, loss of respect from others, and loss of self-respect). These respondents would appear to be an appropriate target population for policies emphasizing greater certainty of arrest for wife assault. For the men in this category, an arrest experience would likely be followed by an increase in the perceived risk of these costs, which could increase the probability of specific deterrence (i.e., the omission or curtailment of physical aggression in the future by arrested men because they do not want to incur the associated costs).

This interpretation is only a suggestion because the context of the question is a hypothetical situation: "suppose you hit your spouse/partner" and "you were arrested." We cannot know at this point whether an actual arrest experience would have such consequences. Nonetheless, Dutton and Strachan (1987), using identical questions about the perceived costs of wife assault, found that such perceptions are much higher for men immediately after an actual arrest experience compared to perceptual estimates based on involvement in physical aggression (i.e., the act) obtained from surveys of the general population (e.g., Carmody and Williams 1987; Kennedy and Dutton 1987). Therefore, our findings, in conjunction with those of Dutton and Strachan (1987), suggest that arrest will increase the perceived risk of costs associated with wife assault, at

least in the short run. However, the deterrent efficacy of increased perception, of such risks, especially in the long run, remains an open question.

The No Difference Category. According to Table 2, the largest percentage of respondents report identical cost consequences for both act and arrest. They constitute at least a plurality of cases for all three costs of wife asssault. Whatever deterrence potential arrest may have for this group, it appears to be dependent on the intrinsic fear of arrest itself. The influence of extralegal factors (costs of the act) operates alongside the legal threat. Researchers should explore the relative magnitude of the effects of these factors in comparison to the power of arrest (and its three correlative costs) in producing conformity in this category. Adequate tests of deterrence require careful study in order to assess both sources of control and delineate their separate contributions.

An important methodological issue haunts any substantive interpretation of the two sources of control in the no difference group. Simply put, the fact that these respondents gave exactly the same answers to questions about the social costs linked to arrest as those linked to the act could mean that such men were locked into a response set. So if a respondent gives a 50/50 chance to his partner leaving or getting a divorce if he hits her, and a 50/50 chance of the same consequence if he gets arrested for doing so, that may indicate he is merely giving the same answers to a series of questions have the same zero to ten response scale (i.e., locking into a score of 5). If this is the case, the responses may have no substantive merit. In other words, responses may not be indicative of actual beliefs about the costs of wife assault, be they linked to the act or arrest. Hence, tests of theoretical models should apply some procedure to select out respondents who repeatedly give identical answers to such questions. Looking for a response set and removing such cases would allow the determination of whether or not the empirical results are significantly altered and could provide an estimate of the extent to which findings are the product of a methodological artifact.[12]

The Decrease Category. For a small minority of men, evaluations of the act of wife assault exceeded judgments about arrest for the act. As indicated by the means in Table 2, these men assigned very high costs to the act, especially for social and self stigma. These results might occur for two different reasons, i.e., two separate processes may be at work. One could simply be a regression toward the mean. The perceived risk of costs associated with the act tend to be high for this category -- higher, in fact, than any other categories of the sample. Thus, the tendency for perceptual estimates based on arrest to decline in the aggregate (i.e., the tendency for the means to be lower) may be the consequence of extremely high estimates of risk based on the act.

The second process could be that these respondents believe that loss of partner, loss of respect from others, and loss of self respect are virtually certain if they assault their partners. Thus, arrest can add nothing, and giving a lower score is their way of discounting its significance.

Arrest and Assaultive Experience for the Target Population

In Table 2, we presented three separate increase groups (one for each cost) which represent anywhere from one-fourth to one-third of the total sample of male respondents. These men are important for research on deterrence because they appear to constitute the target population for arrest policies concerning wife assault. In order to explore further the potential power of arrest for these men, their perceptions of the risk of involvement in wife assault are compared to others in the sample (i.e., those in the no difference and decrease categories combined) for all three costs. The empirical results are presented in Table 3.

Table 3 about here

Men in our "target group" obviously do not believe the likelihood of arrest is very high should they hit their partner. These men have significantly lower average perceived risk of arrest scores in all categories of costs than their counterparts in the sample (see Table 3). As noted above, these men perceived the costs of arrest as high, and Table 3 shows that their ratings of arrest severity (how bad it would be for them personally) are similar to ratings given by the rest of the sample. Specifically, the means for perceived severity are not significantly different. In spite of associated costs of possible arrest, these men were significantly more likely to have been perpetrators of physical aggression against their partners in the past year.

The higher frequency of wife assault in the target group could be due to low perceived risk of arrest. This is an example of the "threshold effect," the idea that unless certainty of punishment is high, other negative consequences (severity and arrest costs tied to attachment, etc.) do not secure deterrence. But the very fact the all perceived costs were high given the hypothetical situation of an arrest, increased probabilities of legal sanctions could become a powerful source of control for this group of men. Indeed the effectiveness of arrest in domestic assault cases documented by Sherman and Berk (1984, p. 270) in their field experiment in Minneapolis may have been due to the correlated costs triggered by the arrest. Future studies of specific deterrence should address this issue.

On the other hand, the very low perceived risk of arrest could be the result of an experiential effect.[13] Having been involved in the aggressive behavior, but not arrested for it, could have shaped the perpetrator's perception of the risk of arrest, lowering it signficantly. Nonetheless, the findings in Table 3 at least suggest that the perceived risk of arrest and the incidence of wife assault are negatively related. Tests to determine whether this is due to an experiential or a deterrence process must await the third wave of this national panel study.

SUMMARY AND CONCLUSIONS

As is often the case, this exploratory analysis of the dimensions of perception produced more questions than answers about the deterrence process. While this cross sectional study is open to many of the criticisms discussed elsewhere (e.g., Greenberg 1981; Minor and Harry 1982; Paternoster et al. 1983a; Saltzman et al. 1982; Williams and

Hawkins 1986), these data do give us some sense of the relationship between the perceived costs of arrest and an aggressive act -- wife assault. The final wave of this national study of intimate violence will allow us to trace the impact of such perceptions on subsequent aggressive acts.

In terms of any contribution to a perceptual theory of deterrence, we are taking only a modest first step. We propose that the costs seen as flowing from arrest, identified here as attachment loss, social stigma, and self stigma, should be considered part of the deterrence process. Judgments about how engaging in some illegal act might create costs in these three areas for perpetrators are seen as extralegal sources of control, not part of deterrence. The inclusion of this distinction in future studies of general and specific deterrence should prevent the following sins: (1) drawing very narrow boundaries around the impact of legal threats on behavior such that deterrence is missed; (2) overestimating the contribution of extralegal sanctions in the production of conformity; and (3) missing the chance to increase the effectiveness of the threat of legal sanctions by linking such threats to associated costs (e.g., Hawkins 1986; Williams and Hawkins 1986).

We conclude by observing that the data reported here have limitations as a base for a theoretical expansion of the deterrence doctrine. It is clear that wife assault is not a conventional crime in that it may produce unique costs. For example, our concept of attachment costs as operationalized here lacks a parallel for most other crimes. Costs imposed by victims are rare, especially when based in the context of some emotional bond.[14]

A second caveat involves the disagreement over what constitutes assault within a marriage or adult relationship. This normative ambiguity not only affects the rates of victim reporting of incidents to the police, but it also influences perceived costs tied to the act.

This normative ambiguity along with other factors has contributed to a weak "climate of enforcement" in most jurisdictions (Lempert, 1982). Consequently, the material deprivations of arrest (e.g., time in jail or prison, fines, etc.) may be minimal for wife assault compared to other more conventional forms of criminal violence, such as stranger rape or aggravated assault (see, e.g., Dutton, 1987b). This low probability of actual legal sanctions need not, however, obviate the influence of the perceived costs of arrest. For example, Dutton and Strachan (1987) show that arrested wife batterers perceive court appearances and the threat of fail time as two of the most costly consequences of arrest.

Future research should attempt to assess the controlling power of costs associated with actual and potential arrest for a variety of illegal acts. We may find that perceptions of arrest-based costs secure deterrence even where the actual probability of arrest is low. In general, studies in the "perceptual tradition" must assess the relative costs of act versus arrest for the act for a wide range of crimes before deterrence theory can be adequately developed and empirically tested. It is in this sense that we have taken but one step down a long an winding path.

NOTES

1. One obstacle to a unified theory is agreement on nominal definitions for terms. General deterrence is achieved if persons avoid involvement in criminal behaviors out of a fear of possible legal sanctions. Specific deterrence occurs when persons who have experienced legal sanctions (fine, probation, or imprisonment) refrain from illegal acts in the future out of fear of (re) punishment.

2. We use wife assault in reference to any form of physical aggression perpetrated by a man toward his female partner, meaning his wife, lover, or a woman involved in a "marriage-like" relationship.

3. For summaries of studies of this type, see Tittle (1980), Paternoster and Iovanni (1986), and Piliavin et al. (1986).

4. An example of reputational damage would be a bad credit rating. This damage (whether earned or the result of a computer error) means stigmatizing reactions are imposed by strangers, e.g., persons are turned down on loan applications. Stigma and other costs are detailed in Williams and Hawkins (1986).

5. We assume that the many rival hypotheses to general deterrence, such as moral condemnation of the act, are not operating to restrain the potential assaulter in this illustration.

6. Our intention is not to question the method of analysis of either Piliavin et al. (1986) or Paternoster and Iovanni (1986), but to draw from their work examples of how informal controls are treated as independent of, and separate from, the legal threat of punishment. Our point is that such controls could and should be included as components of legal threat under the conditions delineated in this paper.

7. A detailed description of how the second wave sample was constructed from the 1985 respondents, the construction of a weighting system to make the two samples comparable, and a documentation of the extent of possible biases due to attrition is available and can be obtained by contacting the authors.

8. Our measure of physical assault, detailed in the next section, enters into the data set presented here in two distinct ways. First, as just described, involvement in assaultive acts created three sample groups which were the basis of the 1986 sample. Second, we will use the measure of aggression to see which respondents in the 1986 survey had been involved in wife assault between the two survey waves, i..e., self-reported acts within the past 12 months. This recent experience in perpetrating assaultive acts will be treated as a variable later in the paper.

9. These properties directly parallel certainty and severity, terms heavily imbued with meaning as regards the deterrent power of legal sanctions. Since we are concerned with costs

associated with the act, we use the term risk and cost to refer to perceptions of negative consequences.

10. We did not include in this analysis any assessment of commitment costs, i.e., "some judgment of past accomplishments being jeopardized and/or future goals being foreclosed or made more difficult to achieve" (Williams and Hawkins, 1986, p. 565). It should be clear that we are not testing all possible types of cost associated with act or arrest for the act.

11. We cannot assume any hierarchy of seriousness in these nine CTS items. Rather, the seriousness of such acts must be addressed conceptually and empirically as an independent matter. Seriousness might be measured in perceptual terms,that is, as perceived by those involved in assaultive activity and/or by others. Alternatively, seriousness might be measured in terms of the concrete experiences of assault victims, that is, that injurious outcomes of assaultive acts. For example, "threatening with a knife or gun" may appear to many as a serious act, but it could result in considerably less physical injury than pushing, if the pushing caused one to fall down a flight of stairs. Similarly, hitting may be less injurious than throwing something, depending upon the object thrown (e.g., a towel as compared to a hammer).

12. Within this no difference category, it is extremely difficult to divide those who see risks of act and arrest as comparable from those answering out of some response set. Such a distinction could be made more easily through probing questions at the interview stage rather than some sorting procedure once the data haved been collected. In this study, item presentation was varied for each respondent to avoid response set affecting any one question more than others.

13. The experiential effect in cross sectional surveys is discussed in Paternoster et al. (1983a,b), Saltzman et al. (1982), Minor and Harry (1982).

14. Incest and child abuse cases may incorporate the victim's potential reaction within an attachment context. Attachment costs generally refer to negative reactions from family members and other significant others who are not also victims. See discussion of attachment costs in Williams and Hawkins (1986).

Table 1. Descriptive Statistics on the Perceived Risk of Costs Associated with Wife Assault Compared to Arrest for Such Aggression.

Descriptive Statistics	Perceived Risk of: Attachment Costs[a]			Social Stigma[b]			Self Stigma[c]		
	Act	Arrest	t-Value	Act	Arrest	t-Value	Act	Arrest	t-Value
Mean	3.59	5.14	10.78	5.97	6.58	4.52	6.91	7.68	5.80
SD	3.97	3.80		4.12	3.50		4.01	3.45	

$p \leq .0005$, one tailed test of statistical significance.

a. Loss of partner (would leave or get a divorce).

b. Disapproval or loss of respect from friends and relatives.

c. Loss of self-respect.

Table 2. Distribution of Respondents and Means on the Perceived Risk of Costs Associated with Wife Assault Compared to Arrest for Such Aggression.[1]

Difference Categories	Attachment Costs				Social Stigma				Self Stigma			
	% (N)	Act	Arrest	t-value	% (N)	Act	Arrest	t-value	% (N)	Act	Arrest	t-value
Increase	43.0 (266)	1.70	6.26	25.00*	30.9 (193)	2.71	6.95	20.33*	26.4 (165)	3.49	8.19	17.45*
No Difference	44.6 (276)	4.55	4.55	--	48.4 (302)	6.88	6.88	--	59.7 (374)	8.07	8.07	--
Decrease	12.4 (77)	6.74	3.36	-10.83*	19.6 (129)	8.74	5.34	-16.84*	13.9 (87)	8.46	5.05	-12.01*

* $p \leq .0005$, one tailed test of statistical significance.

1. % refers to the percentage of respondents in each of the difference categories for each cost.

Table 3. Means on the Perceived Risk and Severity of Arrest, and the Percent of Men Involved in Wife Assault for the Target Population of Arrest Policies.

Comparison Variables	Attachment Costs			Social Stigma			Self Stigma		
	Target Group	Others	t-Value	Target Group	Others	t-values	Target Group	Others	t-value
Risk of Arrest ($\bar{X}$)	1.43	2.64	-4.81**	1.40	2.46	-4.06**	1.62	2.29	-2.39*
Severity of Arrest ($\bar{X}$)	7.18	6.96	.70	6.94	7.06	- .35	6.66	7.15	-1.36
Involvement in Wife Assault (%)	9.40	4.39	2.38*	8.56	5.62	1.27	11.37	4.62	2.54*

** $p \leq .001$, one tailed test of statistical significance.

* $p \leq .01$, one tailed test of statistical significance.